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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY, DOCKET NO.	CONFIRMATION NO.
10/633,578	08/05/2003	Bjorn C. Rettig	003797.00557	5433

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EXAMINER

FRANCIS, MARK P

ART UNIT PAPER NUMBER

2193

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	01/16/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/633,578

Applicant(s)

RETTIG ET AL.

Examiner

Mark P. Francis

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 October 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 and 23-39 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-21 and 23-39 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is responsive to the amendment filed October 10, 2006.
2. Per applicants' request, claims 1, 11, and 24 have been amended and claim 22 has been cancelled.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-4, 8-14, 18-21, 23-27, and 31-39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chiu (U.S. Pat 6,035,121) in view Guyan. (U.S. Pub 2005/0149376)

Independent claims

With respect to claims 1, 11 and 24, Chiu discloses a system for modifying a computer system or computer application (Col 2:57-67, "...To translate...") from a first language to at least a second language (Col 2:52-67, "...the program in the first language version...") comprising: means for determining a structure of a system about to be migrated; (Col 4:42-67, "...The leverage tool...for creating the directory structure for a build environment...")

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means for storing migration information based on the determination of the structure; (Col 5:10-40, "...A resource database is also generated...", Col 6:40-65, "...The resource database contains the current version resource DLL...and the new target language DLL...") means for performing said migration based on said stored migration information. (Col 6:40-65, "...The resource database contains the current version resource DLL...and the new target language DLL...") but does not disclose wherein performing said migration modifies at least some core code of the computer system from a language dependent form into a language independent form.

Guyan discloses wherein performing said migration modifies at least some core code of the computer system from a language dependent form(e.g. See Fig. 4, element 404 and 406) into a language independent form(Col 19:0593, "...how different languages are repainted and recompiled...", e.g. See Fig. 4 element 402 and related text) in an analogous system for the purpose of developing component based software capable of handling insurance related tasks.(Col 2:0017)

Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the invention to modify or change some core code from a language dependent format to a language independent format to Chiu's invention.

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The modification would have been obvious because one of ordinary skill in the art would have been motivated to develop component based software capable of handling insurance related tasks.(Guyan:Col 2:0017)

Dependent claims

With respect to claims 2,12, and 25, the rejection of claims 1,11, and 24 are incorporated respectively and further, Chiu discloses the step of establishing at least one localized language hard link to supplement for at least one location independent folder for use with an application. (Col 3:45-67, "...a new resource DLL is generated...")

With respect to claims 3,13 and 26, the rejection of claims 1,11 and 24 are incorporated respectively and further, Chiu discloses that said migration information is drawn from local dynamic libraries and information files. (Col 4:48-67, "...compares the current version DLL to the previous version...")

With respect to claims 4,14, and 27, the rejection of claims 1,11 and 24 are incorporated respectively and further, Chiu discloses that the migration information is used with environment variables in said performing means. (Col 5:19-40, "...A Translation flag...A resource ID...")

With respect to claims 8,18, and 31, the rejection of claims 1,11 and 24 are incorporated respectively and further, Chiu discloses that the performing step further comprises the

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step of: replacing localized links with unlocalized links. (Col 6:40-67, "...is compared to both the previous version resource DLL...and the previous target language resource...")

With respect to claims 9,19, and 32, the rejection of claims 1,11 and 24 are incorporated respectively and further, Chiu discloses that the performing step further comprises the step of: replacing localized information in an IIS meta database with unlocalized information. (Col 6:35-67, "...The resource database...")

With respect to claims 10,20, and 33, the rejection of claims 1,11 and 24 are incorporated respectively and further, Chiu discloses that the migration information includes a list of localized strings and corresponding unlocalized versions to which the strings are to be converted. (Col 6:35-67, "...The resource database...the localized current version...")

With respect to claim 21, the rejection of claim 11 is incorporated and further, Chiu discloses that the migration is performed on an installed operating system before upgrading the operating system. (Col 4:5-27, "...provided by an operating system...")

With respect to claim 23, the rejection of claim 11 is incorporated and further, Chiu discloses that once said system has been migrated, said system may accommodate additional languages. (Col 4:27-35, "...is readily adapted for use in localizing...to and from any human languages...")

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With respect to claims 34,36, and 38, the rejection of claim 1, 11, and 24 are incorporated respectively and further, Chiu discloses that the first language is a first localized language and the second language is a localization independent language. (Col 4:27-55, "...the first language...")

With respect to claims 35,37, and 39, the rejection of claim 1, 11, and 24 are incorporated respectively and further, Chiu discloses that the first language is a first localized language and the second language is a second localized language. (Col 4:27-55, "...the first language...")

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 5-7,15-17, and 28-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chiu (U.S. Pat 6,035,121) in view Gyan. (U.S. Pub 2005/0149376) and further in view of Murphy.(U.S. Pat 5,659,753).

Regarding claims 5, 15,and 29,

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The rejection of claims 1,11, and 24 are incorporated respectively and further,

Neither Chiu nor Guyan disclose that the performing step further comprises the step of: unlocking shell folders.

Murphy discloses that the performing step further comprises the step of: unlocking shell folders(Col 5:49-67, "...First, the shell provides a portable interface to basic features of the operating system...",Col 6:1-30, "...the shell locator package...") in an analogous system for the purpose of providing a compiler framework which uses a generic shell or control and sequencing mechanism, and a generic back end. The generic back end provides the functions of optimization, register and memory allocation, and code generation.(Murphy:Col 2:60-67,)

Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the invention to unlock shell folders to Murphy's invention.

The modification would have been obvious because one of ordinary skill in the art would have been motivated to provide a compiler framework which uses a generic shell or control and sequencing mechanism, and a generic back end. The generic back end provides the functions of optimization, register and memory allocation, and code generation.(Murphy:Col 2:60-67)

Regarding claims 6,16 and 29,

The rejection of claims 1,11, and 24 are incorporated respectively and further,

Neither Chiu nor Guyan disclose that the performing step further comprises the step of: unlocking the system of at least one user and group profiles.

Murphy discloses that the performing step further comprises the step of: unlocking the system of at least one user and group profiles (Col 5:49-67, "...First, the shell provides a portable interface to basic features of the operating system...",Col 6:1-30, "...the shell locator package...") in an analogous system for the purpose of providing a compiler framework which uses a generic shell or control and sequencing mechanism, and a generic back end. The generic back end provides the functions of optimization, register and memory allocation, and code generation.(Murphy:Col 2:60-67,)

Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the invention to unlock the system of one user and group profile to Murphy's invention.

The modification would have been obvious because one of ordinary skill in the art would have been motivated to provide a compiler framework which uses a generic shell or

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control and sequencing mechanism, and a generic back end. The generic back end provides the functions of optimization, register and memory allocation, and code generation.(Murphy:Col 2:60-67)

Regarding claims 7,17 and 30,

The rejection of claims 1,11, and 24 are incorporated respectively and further,

Neither Chiu nor Guyan disclose that said performing step further comprises the step of: unlocking a registry.

Murphy discloses said performing step further comprises the step of: unlocking a registry.(Col 5:49-67, "...First, the shell provides a portable interface to basic features of the operating system...",Col 6:1-30, "...the shell locator package...") in an analogous system for the purpose of providing a compiler framework which uses a generic shell or control and sequencing mechanism, and a generic back end. The generic back end provides the functions of optimization, register and memory allocation, and code generation.(Murphy:Col 2:60-67,)

Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the invention to unlock a registry to Murphy's invention.

The modification would have been obvious because one of ordinary skill in the art would have been motivated to provide a compiler framework which uses a generic shell or control and sequencing mechanism, and a generic back end. The generic back end provides the functions of optimization, register and memory allocation, and code generation. (Murphy: Col 2:60-67)

Response to Arguments

7. Applicant's arguments filed on October 10, 2006 have been fully considered with respect to claims 1-21 and 23-39 but are moot in view of the new ground(s) of rejection.

Conclusion

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the


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shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mark P. Francis whose telephone number is (571)272-7956. The examiner can normally be reached on Mon-Fri 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng-Ai T. An can be reached on (571)272-3756. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


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